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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,720	03/09/2004	Dale D. Timm	200316152-1	1739

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EXAMINER

GOLDBERG, BRIAN J

ART UNIT PAPER NUMBER

2861

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/796,720	<b>Applicant(s)</b> TIMM ET AL.	
	<b>Examiner</b> Brian Goldberg	<b>Art Unit</b> 2861	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 August 2006.
- 2a) ☒ This action is FINAL.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 and 48-63 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-10, 14-16 and 48-63 is/are allowed.
- 6) ☒ Claim(s) 1-6, 11-13, 17-19, 22 and 23 is/are rejected.
- 7) ☒ Claim(s) 12, 13, 20 and 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                      | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-6, 11, 17-19, 22, and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Horvath et al. (US 6705705).
2. Regarding claim 1, Horvath et al. disclose "a substratum (34, 78); a cover (32) attached to the substratum and having an aperture provided therein (323, 324); a printhead (40) attached to the substratum and provided at least partially within the aperture (see Figs 5 and 6), the printhead having a perimeter defined by opposite ends and opposite sides extended between opposite ends (see 40 of Figs 2, 5, 6, and 7); at least one connector (68) extending from one of the ends of the printhead into the aperture (see Fig 5 and 6); an adhesive material covering at least a portion of the at least one connector (189, 289, 389); and at least one barrier that prevents the adhesive material from flowing along at least one of the sides of the printhead to locations away from the at least one connector (solid portion of 32 to the left of item 180/280/380 of Figs 9A/10A/11A prevents adhesive material from flowing along at least a side of the printhead (both the longitudinal side and the bottom side) as can be seen in the figures)."
3. Regarding claim 2, Horvath et al. disclose "the substratum has a plurality of electrical contacts provided thereon (71)."

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4. Regarding claim 3, Horvath et al. disclose "wherein the plurality of electrical contacts provided on the substratum are provided within the aperture (see location of 71 in Figs 5 and 6)."

5. Regarding claim 4, Horvath et al. disclose "the printhead includes a nozzle surface (471 or top of 47) and a plurality of contacts (41) provided on the nozzle surface and wherein the at least one connector comprises a plurality of wires (183, 283, 383) that extend between the plurality of contacts provided on the nozzle surface and the plurality of contacts provided on the substratum (see Figs 9B, 10B, 11B)."

6. Regarding claim 5, Horvath et al. disclose "the printhead is provided in the aperture such that a gap is provided between the printhead and the cover about the perimeter of the printhead (see gap between 40 and barrier portion of 32 in Figs 9A, 10A, 11A) and wherein the at least one barrier is provided in the gap and prevents the adhesive material from flowing along the at least one of the sides of the printhead (solid portion of 32 to the left of item 180/280/380 prevents flow of adhesive and is in the gap described above, Figs 9-11)."

7. Regarding claim 6, Horvath et al. disclose "the cover includes at least one cutout (area above, left, and right of 324) extending from the aperture and at least a portion of the at least one barrier is provided in the at least one cutout (solid portion to left and right of 324 is barrier within cutout of Fig 6)."

8. Regarding claim 11, Horvath et al. disclose "the adhesive material covering at least a portion of the at least one connector comprises an epoxy (189, 289, 389)."

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9. Regarding claim 17, Horvath et al. disclose "a substratum (34, 78) having a plurality of printheads (40) attached thereto, each of the printheads having a perimeter defined by opposite ends and opposite sides extended between opposite ends (see 40 of Figs 2, 5, 6, and 7); a cover (32) attached to the substratum and having a plurality of apertures (323, 324) formed therein, each of the apertures configured to receive at least one of the plurality of printheads therein (see Fig 6); at least one connector (68) extending from one of the ends of each of the plurality of printheads to contacts (71) provided on the substratum; an adhesive material covering at least a portion of the at least one connector and filling at least a portion of each of the plurality of apertures (189, 289, 389); and means for preventing the adhesive material from flowing along at least one of the sides of the printheads to locations away from areas near the at least one connector (solid portion of 32 to the left of item 180/280/380 of Figs 9A/10A/11A prevents adhesive material from flowing along a side of the printheads as can be seen in the figures)."

10. Regarding claim 18, Horvath et al. disclose "the substratum has a plurality of electrical contacts (71) provided thereon, wherein each of the plurality of apertures has at least one electrical contact provided within the aperture (see Fig 6), wherein each of the printheads includes a nozzle surface (471 or top of 47) and a plurality of contacts (41) provided on the nozzle surface, and wherein the at least one connector comprises a plurality of wires (183, 283, 383) and each of the plurality of wires extend between at least one of the plurality of contacts provided on the nozzle surface and at least one of the plurality of contacts provided on the substratum (see Figs 9B, 10B, 11B)."

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11. Regarding claim 19, Horvath et al. disclose "the cover is attached to the substratum such that a gap exists between each of the plurality of printheads and the cover (see gap between 40 and portion of 32 in Fig 9A, 10A, 11A)."

12. Regarding claim 22, Horvath et al. disclose "the adhesive material covering at least a portion of the at least one connector comprises an epoxy (189, 289, 389)."

13. Regarding claim 23, Horvath et al. disclose "the cover has a top surface and the means for preventing the adhesive material from flowing prevents the flow of adhesive over the cover beyond the means for preventing the adhesive material from flowing (see Fig 5 where solid portion of 32 barrier prevents flow)."

14. The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

15. Claims 12, 13, 20 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Allowable Subject Matter***

16. Claims 7-10, 14-16, 48-63 are allowed.

17. The following is an examiner's statement of reasons for allowance:

The prior art does not disclose or suggest the claimed barrier comprising an adhesive

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material, the barrier comprising a dam comprising an adhesive material, or the barrier having a rounded cross-sectional shape in combination with the remaining claim elements as set forth in independent claims 7, 9, and 16, respectively, as well as their corresponding dependent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Arguments***

18. Applicant's arguments filed 8/11/06 have been fully considered but they are not persuasive. The applicant's argument is merely stating that the cited reference does not teach or suggest the amendments made to independent claims 1 and 17. However, as cited above, the cited reference does teach or suggest the claims as presented, rendering the applicant's arguments as not persuasive.

### ***Conclusion***

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Goldberg whose telephone number is 571-272-2728. The examiner can normally be reached on Monday through Friday, 9AM-5PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vip Patel can be reached on 571-272-2458. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Brian Goldberg  
AU 2861  
October 24, 2006



Vip Patel  
Supervisory Examiner  
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